



Montana Fish, Wildlife & Parks Commission

P. O. Box 200701
Helena, MT 59620-0701
406-444-3186
FAX: 406-444-4952
Ref: DO0123-09
March 13, 2009

Brian Schweitzer, Governor

Shane Colton, Chairman
335 Clark
Billings, MT 59101
406-259-9986
District 5

Bob Ream
521 Clarke Street
Helena, MT 59601
406-461-3202
District 1

Dan Vermillion, Vice-Chairman
PO Box 668
Livingston, MT 59047
406-222-0624
District 2

Ron Moody
109 Bach Avenue
Lewistown, MT 59457
406-538-2698
District 3

Willie Doll
PO Box 1142
Malta, MT 59538
406-658-2120
District 4

Joe Maurier, Acting Director
MT Fish, Wildlife & Parks
1420 East Sixth Avenue
PO Box 200701
Helena, MT 59620-0701
406-444-5618
(Fax) 406-444-4952

Look for the FWP
Commission web page at
fwp.mt.gov



Montana Fish,
Wildlife & Parks

Ken Salazar
Secretary of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Salazar:

Congratulations on your confirmation as Secretary of the Interior. Your grasp of sound natural resource stewardship principles will serve the Department of Interior and the country well.

I am writing on behalf of the Montana Fish, Wildlife & Parks Commission (Commission) to thank you for acknowledging the good work Montana has done in support of wolf recovery in the northern Rocky Mountains (NRM). The Commission agrees that the NRM wolf population is fully recovered and that it is appropriate to delist the gray wolf where the species is doing well and adequate regulatory mechanisms are in place. The Commission supports that decision and is prepared to help defend the decision to delist during the anticipated legal challenge.

The Commission and Montana Department of Fish, Wildlife & Parks (Department) are the entities under Montana law that establish rules and regulations pertaining to fish and wildlife. More specifically, Montana law directs the Commission to "set the policies for the protection, preservation, and propagation of the wildlife, fish, game furbearers, waterfowl, nongame species, and endangered species of the state...." § 87-1-301(1)(a), Mont. Code Ann. The Commission also establishes the hunting, fishing, and trapping rules of the Department and establishes the rules of the Department governing the use of lands owned or controlled by the Department" § 87-1-301(1)(b) and (c), Mont. Code Ann. The Department carries out these duties under the Commission's direction and supervision.

Thus, the Commission has supervised all aspects of the Department's efforts relative to wolf recovery. The Commission has overseen Department development of an environmental impact statement (EIS) and final wolf plan. The Commission concurred with the Department Director's selection of the preferred alternative in the planning EIS, and its adoption as the final Montana wolf management plan.

The commission fully supports the plan's foundational principles and adaptive management approach. The Plan recognizes the wolf as a native species and commits to manage and protect the wolf as other wildlife in Montana is managed and protected. The Commission also fully supports the Department's goal and commitment to maintain a secure, recovered population. Wolves will be allowed to find their place on the landscape, as are other wildlife. The Commission will assure that the Department carefully manages them, balancing biological and social factors.

The Commission approved of the Department entering into an interagency cooperative agreement with the U.S. Fish and Wildlife Service during the interim period while wolves have remained listed. Since 2005, Fish, Wildlife & Parks has been the lead agency for all wolf conservation and management. During this period, the Department gained valuable knowledge and expertise about wolves and their management. More importantly, the Department's work has increased local acceptance of wolf recovery and their long-term presence on the Montana landscape through an active management program.

The Commission also exercised its rulemaking authority and oversight responsibility while the Department developed new administrative rules that would take effect upon delisting. In September 2008, the Commission approved administrative rules that are binding on the Department. Rule 12.9.1301 states Montana's commitment to preservation of the gray wolf as resident wildlife in need of management, under the Nongame and Endangered Species Conservation Act, 87-5-102, MCA. The rules also commit that the Department will manage wolves to assure that recovery criteria are met or exceeded. The rules affirm that Montana will ensure maintenance of at least 15 breeding pairs and facilitate natural dispersal and connectivity within the NRM and with Canada.

By formally adopting the breeding pair definition used by the U.S. Fish and Wildlife Service, Montana has taken the more conservative path, as not all packs meet the more stringent definition of breeding pair used as the benchmark by which recovery was measured. Upon delisting, the rules will also guide the Department's decision making on wolf-livestock conflict resolution and will provide criteria for how the Department will exercise its discretion for lethal control. Lethal control will be implemented incrementally and more conservatively should the number of breeding pairs decline and approach 15. Under Montana's rules, the management of wolf livestock conflicts will be essentially identical to management under the federal experimental 10j regulations.

In Montana, the Commission establishes rules and regulations for regulated harvest of protected wildlife. Hunting season frameworks for Montana's big game species (e.g. dates, bag limit, unit boundaries) are established and approved by the Commission every other year. Quotas for certain species are established and approved annually so that the most current population information can and will be considered.

In December 2007, the Department consulted with the Montana Wolf Advisory Council regarding a wolf hunting season proposal. The Council recommended and the Department agreed to consider a wolf season and quota level that would maintain about 400 wolves (close to the minimum 2007 Montana wolf population estimate). In February 2008, the Commission adopted the basic regulatory framework and season structure for a limited wolf harvest through a quota-based approach. The final season framework accounts for wolf biology, allows adequate time for dispersal, and assures connectivity through establishment of harvest sub-units and sub-quotas. It contains many procedural checks and balances so that the population would not be jeopardized, including the Commission's authority to close a hunting season within 24 hours.

In June 2008, the Department recommended and the Commission approved a conservative statewide quota of 75 wolves for a possible 2008 fall season. That represented a harvest rate of approximately 18%, about half of the level that was predicted to maintain the population at 2007 levels. Thus, the tentative quota approved by the Commission was predicted to result in a population increase. Both the Department and the Commission intend to initiate wolf hunting seasons cautiously and conservatively, so that the population will be maintained securely near 2007 levels (about 400 wolves). The Commission did not establish a final quota or authorize a season for fall 2008 because of the court ordered injunction issued in July.

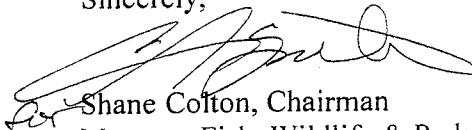
Upon delisting, the Department envisions that regulated public harvest will help adjust local wolf density and distribution at a scale fine enough to reduce conflicts with livestock. Hunting should provide some relief for livestock conflicts because wolves that are in closer proximity to people and livestock could be more vulnerable to harvest, thus fewer livestock may be killed by wolves and less agency lethal control would be required. Furthermore, "hunted" wolves may become more wary of people, as is the case for other hunted species, and therefore may be less likely to prey on domestic livestock.

Upon delisting, the Commission will oversee the Department's full implementation of the adaptive wolf management plan, including fair chase public harvest. The plan and accompanying administrative rules link decisions by the Commission and the Department to wolf ecology, population status, the land, and the people of Montana. Montana chose to embrace the controversy surrounding wolves in an open and inclusive manner that respected all interests. As a result of that, it was able to produce a plan and policies that take a reasoned and middle-of-the-road approach.

The Department has consistently brought forward data-driven recommendations for the Commission's consideration and invited public comment. The Commission does not expect that the Department's professional standards will diminish when wolf delisting takes effect. Nor does the Commission intend to allow the Department to jeopardize wolf recovery and Montana's contribution towards the NRM population.

Montana citizens and the NRM gray wolf population have benefited from the hard work of U.S. Fish and Wildlife Service employees dedicated to wolf recovery. Congratulations on achieving recovery goals. The Commission looks forward to reinforcing ongoing federal efforts to delist the wolf and fully transitioning the gray wolf to a state-based program.

Sincerely,



Shane Colton, Chairman
Montana Fish, Wildlife & Parks Commission

3/13 C: Rowan Gould, Acting Director USFWS, Washington DC
✓ Steve Guertin, USFWS Regional Director, Denver
✓ Ed Bangs, USFWS, Helena
✓ Governor Schweitzer
✓ FWP Acting Director Maurier
✓ Montana Congressional Delegation (FAXed Also)